

UNION PACIFIC RAILROAD COMPANY

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FAX TRANSMITTAL SHEET

DATE: 2-16-05

Fax: 312/777-2065

TO:

FAX NO.

RINI GHOSH
STB

202-565-9000

FROM:

TELEPHONE NO.

MACK SHUMATE-UPRR

312-777-2055

2 COPIES, INCLUDING COVER

MESSAGE: SHPO Letter re: no historic properties for
Section 106 process condition waiver.
[Signature]

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STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

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File
ATB 33-221



September 14, 2004

REPLY TO: STB040629A

Charles W. Saylors, Director, Legal Support Services
Union Pacific Railroad Company
1416 Dodge Street
OMAHA NB 68179

Re: Proposed Abandonment of the San Jose Industrial Lead from Milepost 16.3 to Milepost 19.6, Santa Clara County.

Dear Mr. Saylors:

Thank you for submitting to our office, on behalf of the U.S. Surface Transportation Board (STB), your June 25, 2004 letter and supporting documentation regarding the proposed abandonment of railroad tracks that are part of the San Jose Industrial Lead from Milepost (MP) 16.3 to MP 19.6, a distance of 3.3 miles in Santa Clara County. The abandonment of the tracks by the Union Pacific Railroad Company (UPRR) is due to the declining use of the alignment as a corridor for freight and other forms of rail transportation. UPRR has identified two railroad bridge structures (located at MP 16.32 and MP 18.43) with unknown construction dates inside within the project Area of Potential Effects (APE).

Pursuant to 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act, STB is seeking my comments on its determination of the eligibility of the aforementioned bridge structures for inclusion on the National Register of Historic Places (NRHP). STB is also seeking my comments on its determination of the effects the proposed project will have on historic properties in accordance with 36 CFR 800. A review of the submitted documentation leads me to concur with STB's determination that neither of the aforementioned bridge structures are eligible for inclusion on the NRHP under any of the criteria established by 36 CFR 60.4. The properties have no strong associations with significant historical events or persons and are not examples of outstanding engineering design or function. On the basis of these comments I can now concur with STB's determination that the proposed project, as described, will have no effect on historic properties.

Thank you again for seeking my comments on your project. If you have any questions, please contact staff historian Clarence Caesar at (916) 653-8902, or by e-mail at ccaes@ohp.parks.ca.gov.

Sincerely,

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer